UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,227	12/31/2003	Haruo Machida	03500.014453.1	7138

5514   7590   07/23/2008
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER
DINH, KHANH Q

ART UNIT	PAPER NUMBER
2151	

MAIL DATE	DELIVERY MODE
07/23/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)	
Office Action Summary	10/748,227	MACHIDA, HARUO	
	Examiner	Art Unit	
	Khanh Dinh	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>22 April 2008</u>.

2a) ☐ This action is **FINAL**.　　2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-17 and 48-53</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-17 and 48-53</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All　b) ☐ Some * c) ☐ None of:

　　　　1. ☐ Certified copies of the priority documents have been received.

　　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 4/22/2008 has been entered. Claims 1-17 and

new claims 48-53 are presented for examination.

Claim Rejections - 35 USC ' 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as

set forth in section 102 of this title, if the differences between the subject matter sought to be

patented and the prior art are such that the subject matter as a whole would have been obvious at

the time the invention was made to a person having ordinary skill in the art to which said subject

matter pertains. Patentability shall not be negatived by the manner in which the invention was

made.

3.   Claims 1-6, 8-11 and 13-16 are rejected under 35 U.S.C. 102(e) as being unpatentable

over Rosenberg et al., US pat. No.6,078,308 in view of Tachibana, US pat. No.6,219,053.

As to claims 1, 8 and 13, Rosenberg discloses a data processing apparatus capable of data

communications with various devices (12, 228 fig.3) connected with a network, comprising:

a storing unit (204 fig.3) configured to store information and connection information of various

devices and system displaying means on a display unit by using an icon corresponding to each of

the devices (12, 228 fig.3), in accordance with the connection information stored and managed

by said storing unit (enabling users to move mouse to corresponding move computer generated

objects as targets and using a graphical user interface to present options to users and to receive

input from the users, see figs. 3, 5, abstract, fig.3, col.3 lines 5-54, col.6 line 23 to col.7 line 64);

designating unit configured to designated an icon corresponding to an input device and an icon

corresponding to an input device from among the icons displayed on the display unit (using the

position control and rate control to control user object displacements, see col.7 lines 3-64) and

function setting screen displaying unit configured to display a setting screen for setting a

combination function achievable by combining the input device and the output device

respectively corresponding to the icons designated by said designation unit in accordance with

the function information stored by said storing unit (moving a cursor displayed on screen by

physically manipulating physical user object in order to command the cursor to a desired

location or displayed object, can be described as "targeting" activities which can be associated

with graphical objects such as icons, see fig.4, col.6 line 22 to col.7 line 64 and col.14 line 18 to

col.15 line 44); and

 control unit configured to cause the input device and the output device respectively

corresponding to the icons designation unit to perform processing, on the basis of the

combination function set by using the screen displayed by said function setting screen displaying

screen displaying unit (tracking the movement of users' objects using position sensors, graphical

icons and providing suitable electronic signals to the electronic interfaces, see col.5 line 5 to
col.6 line 41 and col.14 line 17 to col.15 line 43).

Rosenberg does not specifically disclose displaying a system configuration of the network.
However, Tachibana discloses displaying a system configuration of the network (network
configuration displaying by icons on a screen, see fig.4, col.6 line 52 to col.7 line 54). It would
have been obvious to one of the ordinary skill in the art at the time the invention was made to
implement Tachibana's teachings into the computer system of Rosenberg to display network
configuration because it would have enhanced the flexible the network representations and
enabled users to easily recognized the network configuration on a screen in a communication
network.

As to claim 2, Rosenberg discloses said function setting screen displaying unit displays a setting
segment for an executable expansion function of each device on the setting screen, in accordance
with the function information of the device stored by said storing means (see col.14 line 17 to
col.15 line 43).

As to claim 3, Rosenberg discloses an editing unit configured to edit display contents on the
setting segment for the executable expansion function of each device displayed by said function
setting screen displaying means (see figs.3, 4, col.14 line 17 to col.15 line 43).

As to claims 4 and 5, Rosenberg discloses wherein the network is connected with plural other
data processing apparatuses communicable with the data processing apparatus and one of the

plural data processing apparatuses is used as a management server (see figs.3, 4, col.14 line 17 to col.15 line 43 and col.17 line 53 to col.18 line 67).

As to claim 6, Rosenberg discloses that the management server can store and manage an expansion configuration image resource of each device (see figs.3, 4, col.14 line 17 to col.15 line 43 and col.17 line 53 to col.18 line 67).

As to claim 9, Rosenberg discloses said function setting screen displaying step includes displaying a setting segment for an executable expansion function of each device on the combination function said function setting screen, in accordance with the function information of the device stored in said storing step (see col.10 line 6 to col.12 line 6 and col.14 line 17 to col.15 line 43).

As to claim 10, Rosenberg discloses an editing step for editing and setting display contents on the setting segment for the executable expansion function of each device displayed in said function setting screen displaying step (see figs.3, 4, col.14 line 17 to col.15 line 43).

As to claim 11, Rosenberg discloses a management server is provided which can store and manage an expansion configuration image resource of each device (see figs.3, 4, col.14 line 17 to col.15 line 43).

As to claim 14, Rosenberg discloses the function setting screen displaying step displays a setting

segment for an executable expansion function of each device on the setting screen, in accordance

with the function information of the device stored in said storing step (see col.10 line 6 to col.12

line 6).

As to claim 15, Rosenberg discloses that the program further comprises an editing step for

editing and setting display contents on the setting segment for the executable expansion function

of each device displayed in said function setting screen displaying step (see figs.3, 4, col.14 line

17 to col.15 line 43).

As to claim 16, Rosenberg discloses a management server is provided which can store and

manage an expansion configuration image resource of each device, wherein said acquirement

step acquires the expansion configuration image resource of each device transmitted from the

management server each time the expansion configuration image resource of the device

including the expansion function of the device and managed by the management server is

updated (see figs.3, 4, col.14 line 17 to col.15 line 43).

4.   Claims 7, 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rosenberg and Tachibana.

Rosenberg's teachings still applied as in item 3 above.   Rosenberg does not disclose that those

input device and out put devices including a printer, a fax machine, a digital copying machine, a

scanner, a digital camera, and a modem. However, such devices are well known in the art.   It

would have been obvious to one of ordinary skill in the communication art that the uses of

different well-known devices are merely a matter of engineering choice because choice of

devices which would have provided more utilizations of the computer system in a network

environment.

5.   Claims 48-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg

and Tachibana and further in view of Bornstein st el., US pat. No.5,867,164 (hereafter

Bornstein).

As to claims 48 and 49, Rosenberg and Tachibana's teachings still applied as in item 3 above.

Rosenberg discloses a determining unit configured to determined input/out setting suitable for a

combination of the input device and the output device respectively corresponding to the icons

designated by said designation unit (see figs.3, 4, col.14 line 17 to col.15 line 43). Rosenberg

does not disclose that a function setting screen displaying unit displays a setting screen to which

the input/output setting determined by said determining unit has been set as default and the

input/output setting is color or monochrome setting or resolution setting. However, Bornstein

discloses a function setting screen displaying unit displays a setting screen to which the

input/output setting determined by said determining unit has been set as default and the

input/output setting is color or monochrome setting or resolution setting (see abstract, col.8 line

21 to col.9 line 8). It would have been obvious to one of the ordinary skill in the art at the time

the invention was made to implement Bornstein's teachings into the computer system of

Rosenberg to display data information because it would have displayed to the users the

document/data information which is the most indicative of the contents of the document/data

information in a communication network.

Claims 50-51 are rejected for the same reasons set forth in claims 48 and 49 respectively.

Claims 52-53 are rejected for the same reasons set forth in claims 48 and 49 respectively

Response to Arguments

6.   Applicant's arguments with respect to claims 1-17 and 48-53 have been considered but

are moot in view of the new ground(s) of rejection.

Conclusion

7.   Claims 1-17 and 48-53 are rejected.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The

examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Zarni Maung, can be reached on (571) 272-3939.   The fax phone number for this

group is (571) 273-8300.

        Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner for patents

P O Box 1450

Alexandria, VA 22313-1450

/Khanh Dinh/

Primary Examiner, Art Unit 2151